

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH CAROLINA

RECEIVED
USDC, CLERK, CHARLOTTE, SC

Henry Beeson,

Plaintiff,

v.

The State of South Carolina,

Defendant.

No: 2:16-cv-1164-RMG

2016 AUG 12 A 10:45

ORDER

This matter comes before the Court on the Report and Recommendation (“R & R”) of the Magistrate Judge recommending that the summarily dismiss this case without prejudice. (Dkt. No. 7). For the reasons set forth below, the Court **ADOPTS** the R & R.

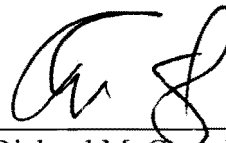
Plaintiff brought this pro se action against Defendant, purporting to allege 28 claims for relief. The Magistrate Judge directed the Clerk not to authorize service (Dkt. No. 6), and subsequently issued an R & R recommending that this Court dismiss the complaint without prejudice because Plaintiff’s allegations “are so generally incomprehensible and filled with what could only be considered by a reasonable person as unconnected, conclusory, and unsupported comments or ‘gibberish.’” (Dkt. No. 7 at 3). Plaintiff has not filed any objections to the R & R.

The Magistrate Judge makes only a recommendation to this Court. The recommendation has no presumptive weight, and the responsibility for making a final determination remains with this Court. *Mathews v. Weber*, 423 U.S. 261, 270-71 (1976). This Court is charged with making a de novo determination of those portions of the R & R to which specific objection is made. Additionally, the Court may “accept, reject, or modify, in whole or in part, the findings or recommendations made by the magistrate judge.” 28 U.S.C. § 636(b)(1). Where the plaintiff fails to file any specific objections, the Magistrate Judge’s conclusions are reviewed only for

clear error, *see Diamond v. Colonial Life & Accident Insurance Co.*, 416 F.3d 310, 315 (4th Cir. 2005), and this Court is not required to give any explanation for adopting the recommendation of the Magistrate Judge, *Camby v. Davis*, 718 F.2d 198 (4th Cir. 1983).

The Court, having reviewed the complaint and R & R and finding no clear error, agrees with and adopts the R & R as the order of the Court. The Court therefore **DISMISSES** the case without prejudice.

AND IT IS SO ORDERED.



Richard M. Gergel
United States District Court Judge

August 12, 2016
Charleston, South Carolina